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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,087	10/02/2003	Peter G. Amos	003-089	7762

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EXAMINER

PATEL, VISHAL A

ART UNIT PAPER NUMBER

3676

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/676,087	<b>Applicant(s)</b> AMOS ET AL. <span style="float: right;">ST</span>	
	<b>Examiner</b> Vishal Patel	<b>Art Unit</b> 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8, 10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) 7, 9, 11 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 10 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/10 and 6/24</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of species I: figures 1-4 and claims 1-8, 10 and 12 in the reply filed on 8/23/04 is acknowledged. The traversal is on the ground(s) that claims 1-3 and 12 are generic claims. This is not found persuasive because claim 12 claims a combustor liner segments and other species do not show this feature.

So in conclusion claims 1-3 are generic and the elected claims are 1-6, 8, 10 and 12.

Claim 7 is directed to a species that is not elected, since the E-seal support is described in the specification as being in the figure 5.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 112***

2. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In line 1, "the spring side supports", this limitation is unclear since applicant only claims "a spring side support" in claim 6 not multiple. So this limitation should be changed to the spring side support and followed by proper grammar or claim 8 should be properly written to claim multiple spring side supports.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 1-6, 8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Honeycutt et al (US. 4,645,217).

Regarding claim 1: Honeycutt discloses a seal assembly having a layered structure (as seen in figure 3). The layered structure including a first layer of a base material (one of 32), a second layer (38 is a woven insulating material) of thermal insulating material on top of the first layer and a third layer (30) of a base material on top of the layer of thermal insulation.

Regarding claim 2: The layer of thermal insulating material comprises a woven insulating material (member 38 is woven insulating material).

Regarding claim 3: The third layer of the seal assembly comprises oxidation resistant material (all metallic material are resistant to oxidation to an extend).

Regarding claim 4: The seal assembly comprising a connector plate having an inner connector band and an outer connector band, the layered structure is arranged within the connector plate with the first layer comprising the inner connector band and the third layer comprising the outer connector band (the connector plate made by all three layers, the first layer 32 comprises the inner connector band and the second layer 30 comprises the outer connector band).

Regarding claim 5: The inner connector band or first layer of base material is welded to the outer connector band or third layer (solid portions of the metallic members 30 and 32 are connected by welds, see abstract).

Regarding claims 6 and 8: The seal assembly comprising a first layer of base material (one 38, figure 6), a second layer of thermal insulating material on top of the first layer (second of 38) and a third layer of base material on top of the layer of thermal

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insulation (third of 38), a connector plate having an inner connector band and an outer connector band, the layered structure is arranged within the connector plate with the first layer comprising the inner connector band (one 38) and the third layer comprising the outer connector band (third of 38), a spring side support (36 is the spring side support) and the spring side support is connected to two sides to the spring support (the spring support 36 is connected to 38 at end that is contacting 59 and opposite end near 38). The spring side supports are welded to the connector plate (the spring side supports 34 and 36 are connected by welds).

Regarding claim 10: The seal assembly comprising cooling holes arranged within the spring side support (holes or slits in 36).

5. Claims 1 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kalkbrenner (US. 3,975,114).

Regarding claim 1: Kalkbrenner discloses a seal assembly having a layered structure (as seen in figure 4). The layered structure including a first layer of a base material (50), a second layer (layer after 50) of thermal insulating material on top of the first layer and a third layer (52) of a base material on top of the layer of thermal insulation. A combustor liner segments (segments 40 of combustor of figure 1) and the seal assembly comprises a combustor liner seal (the layered seal 46) between the combustor liner segments.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Aksit et al, Heibel et al, Cromer, Allen, Trelease, Dinc et al and Aksit et al '825.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishal Patel whose telephone number is (703) 308-8495. The examiner can normally be reached on Monday through Friday from 7:30 PM to 4:00 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann, can be reached on (703) 306-4115.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168. Technology Center 3600 Customer Service is available at 703-308-1113. General Customer Service numbers are at 800-786-9199 or 703-308-9000. Fax Customer Service is available at 703-872-9325.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:** 703-872-9326, for formal communications for entry before Final action:  
or,

703-872-9327, for formal communications for entry after Final action.

Hand-delivered responses should be brought to Crystal Park Five, 2451 Crystal Drive, Arlington, Virginia, Seventh Floor (Receptionist suite adjacent to the elevator lobby).

VP  
September 15, 2004

A handwritten signature in black ink, appearing to read "Vishal Patel", with a stylized flourish at the end.

Vishal Patel  
Patent Examiner  
Tech. Center 3600